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law in any particular case," a rule of political government. But even then it was not considered to contain any absolute prohibition of the liquor business; as early as 1643 a law was passed to license the sale of liquor. The Code of 1650 also recognized the business and such has been the case in all subsequent legislation. In view of this history it cannot be successfully maintained that the framers of the constitution considered the sale of intoxicants as forbidden. It is difficult to point out the prohibitory passage in the Bible, and there are many cases holding that the legislature, unless restricted by the constitution, has power to license the business. *People v. Cornwell*, 34 N. Y. 657; *State v. City Council of Aiken*, 42 S. C. 222.

CONSTITUTIONAL LAW—POLICE POWER—INTOXICATING LIQUORS.—The city council of Nicholasville having power to license and regulate the sale of spirituous and malt liquors, passed an ordinance prohibiting any person from bringing into the city either upon his person or as personal baggage any spirituous or malt liquors in excess of one quart in quantity. The defendant Campbell was indicted for bringing into the city spirituous liquors in excess of the quantity allowed by the ordinance. *Held*, that the state in the exercise of the police power cannot prohibit the possession or use of liquor by one for his own necessity or comfort and that in attempting to do so the ordinance was invalid. *Commonwealth v. Campbell* (1909), — Ky. —, 117 S. W. 383.

The ordinance in question furnishes a good illustration of the extremes to which the prohibition movement has been sought to be carried. Under the guise of police regulation much of the prohibition legislation has been sustained, but it is clear that even in the exercise of the police power a man cannot be denied of his liberty or property. *Iler v. Ross*, 64 Neb. 710. The right to possess property is an absolute and fundamental right. 1 BLACKSTONE pp. 123, 124. That liquor is a legitimate subject of ownership and property is not to be denied. *License Cases*, 5 How. 504. Property in an article is the right to have and use it subject to law. While the right to sell may be separated from ownership, and a man cannot sell such articles, yet that cannot prevent a man from having a property right in it for his own use without intention to sell. BLACK, INTOXICATING LIQUORS, Art. 38. "The right of every man to do what he will with his own, not interfering with the reciprocal right of others, is accepted among the fundamentals of our law." COOLEY, CONST. LIM. Ed. 7, pp. 549, 550. The keeping of liquor in one's possession unless it is for unlawful or illegal purpose can by no possibility injure or affect the health, morals or safety of the public; therefore any statute which seeks to prohibit one from having liquor in his possession is not a valid exercise of the police power. *State of North Carolina v. Williams*, 146 N. C. 618, 17 L. R. A. N. S. 299; *State v. Gilman*, 33 W. Va. 146; *Lincoln v. Smith*, 27 Vt. 328, at. 38; *Beebe v. State*, 6 Ind. 501.

CONSTITUTIONAL LAW—POLICE POWER—ORDINANCE ABSOLUTELY PROHIBITING BILLBOARDS.—Town trustees passed an ordinance to the effect that no one should maintain or erect billboards within the city limits. Plaintiff